

# Town of Frederick Board of Trustees



Eric Doering, Mayor

Sue Wedel, Mayor Pro Tem  
Liberta Hattel, Trustee  
Amy Schiers, Trustee

Tony Carey, Trustee  
Gerry Pfirsch, Trustee  
Jim Wollack, Trustee

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AM 2009-079

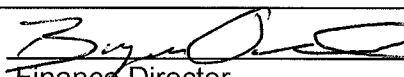
AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, REPEALING AND RE-ENACTING FREDERICK MUNICIPAL CODE §10-76 ENTITLED "DEFACING PROPERTY," REPEALING FREDERICK MUNICIPAL CODE §10-113(D) RELATED TO "POSSESSION OF MARIJUANA," REPEALING FREDERICK MUNICIPAL CODE §10-136(C) RELATED TO "UNDERAGE POSSESSION, CONSUMPTION OF ALCOHOL PROHIBITED," AND REPEALING AND RE-ENACTING FREDERICK MUNICIPAL CODE §10-136(D) RELATED TO "UNDERAGE POSSESSION, CONSUMPTION OF ALCOHOL PROHIBITED."

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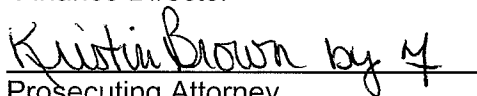
I. **Agenda Date:** Town Board Meeting - September 8, 2009

II. **Attachments:** a. Ordinance.

III. **Fiscal Note:** None noted.

  
Finance Director / Assistant Finance Dir.

IV. **Submitted by:**

  
Prosecuting Attorney

V. **Approved for Presentation:**

  
Town Administrator

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VI. **Certification of Board Approval:**

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date

VII. **Summary Statement:**

Revision of several provisions of the Frederick Municipal Code in response to HB 09-1266.

VIII. **Detail of Issue/Request:**

House Bill 09-1266 modified several statutory provisions related to the revocation of an offender's driver's license upon conviction of defacing property (damage to property), possession/consumption of alcohol by a minor, and possession of marijuana. If a person was convicted in the municipal court of any such charge, the clerk notified DMV of the conviction and the driver's license of the defendant was revoked. Under the new legislation, this penalty has

been removed as it relates to convictions of defacing property and possession of marijuana. The penalty regarding underage alcohol possession or consumption was changed to provide for revocation of the offender's driver's license in the event the defendant failed to comply with court ordered alcohol evaluation and treatment, or where the defendant has any prior alcohol convictions. The proposed ordinance modifies those provisions of the Frederick Municipal Code that cover the same subject as HB 09-1266.

**IX. Legal/Political Considerations:**

None.

**X. Alternatives/Options:**

Vote to adopt the ordinance, or not.

**XI. Financial Considerations:**

None.

**XII. Staff Recommendation:**

Recommend adoption of the proposed ordinance.